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BOARD OF MEDICAL EXAMINERS HEARING AID DISPENSERS EXAMINING COMMITTEE PUBLIC SESSION MINUTES NOVEMBER 13, 2015

I OPENING STATEMENT AND ROLL CALL

A regular meeting of the New Jersey Hearing Aid Dispensers Advisory Committee was held at 124 Halsey Street, Newark on the 6th floor on Friday, November 13, 2015. Jennifer Schaal, Chair of the Committee announced that pursuant to the Open Public Meetings Act, notice of this meeting was prepared in the office of the Board and mailed out to the Secretary of State, the Attorney General, the Star Ledger, the Record, the Press of Atlantic City, the Asbury Park Press, and the Trenton Times. The meeting was called to order at 10:00 A.M. A roll call was taken and the following attendance was recorded and a quorum was present:

PRESENT

**Jennifer Schaal
Charles Herb
David Weesner**

ALSO PRESENT

**Joseph Donofrio, DAG
Renee P. Clark, Executive Director
Sonia Claudino, Administrative Staff**

II APPROVAL OF MINUTES

A motion was made by David Weesner, seconded by Charles Herb to approve the May 8, 2015 Public Session minutes as written. The motion carried by unanimous vote.

III 2016 MEETING AND EXAMINATION DATES

- a. A motion was made by David Weesner, seconded by Charles Herb to approve February 5, 2016, April 1, 2016, June 3, 2016, August 5, 2016, October 7, 2016 and December 2, 2016 as the 2016 Committee meeting dates. The motion carried by unanimous vote.

III 2016 MEETING AND EXAMINATION DATES(cont.)

- b. A motion was made by Charles Herb, seconded by David Weesner to approve March 21, 2016 and September 19, 2016 as the 2016 Law and Practical Examination dates. The motion carried by unanimous vote.

IV NEW BUSINESS

- a. The Committee reviewed Assembly No. 4672 which repeals law suspending certain licenses, registrations and certifications for failure to repay student loans.

After review a motion was made by David Weesner, seconded by Charles Herb to support the Bill. The motion carried by unanimous vote.

- b. The Committee reviewed Assembly No. 4497 which prohibits courts and professional boards from denying professional licenses to child support obligors under certain circumstances.

After review a motion was made by Charles Herb, seconded by David Weesner to support the Bill. The motion carried by unanimous vote.

- c. Charles Manning, Regulatory Analyst was scheduled to discuss changes to N.J.A.C. 13:35-8.17 licensing examination approved by the Committee on October 3, 2014.

This matter has been tabled to the next scheduled Committee meeting.

- d. The Committee reviewed Assembly No. 4651 which permits certain audiologists to dispense and fit hearing aids.

After review a motion was made by Charles Herb, seconded by David Weesner to oppose the Bill because it takes away the protection of the consumer due to the fact that: the current Hearing Aid Dispensers licensing examination and regulations do in fact protect the public adequately; all parties seeking licensure in the State of New Jersey should be required to take the examination because there is precedent for having a minimal qualifying examination for degreed applicants in the State of New Jersey and others. In addition, the Bill makes no provision for the adjudication of hearing aid complaints against audiologists.

Dr. Jennifer Schaal, Committee Chair, dissented with the majority opinion and approved the Bill since audiologists are recognized by other states as having the educational ability and experience to dispense hearing aids without a license by virtue of their Au.D., and also based on the fact that, they should be allowed to dispense hearing aids in the State of New Jersey without additional burdens being placed on them. This would be the same as allowing medical doctors to dispense hearing aid with no training or academic requirements, and no Committee supervision. In this way, consumers would have a licensee with a doctorate degree in audiology dispensing in the State of New Jersey.

IV NEW BUSINESS(cont.)

- d. The Committee reviewed Assembly No. 4651 which permits certain audiologists to dispense and fit hearing aids. (Cont.)

A motion was made by Charles Herb, seconded by David Weesner to not report the current statistics since they require further measurement to determine pass or fail rates.

- e. Dan Berke, NJAHHP submitted an inquiry in regards to Legislation which permits certain audiologists to dispense and fit hearing aids.

After review, Chair directed that the data Mr. Berke is using to promote his loss is inaccurate and the Committee is requesting that Mr. Berke not use it until the correct data is provided.

- f. Committee Member Charles Herb made a presentation on the efficacy of the Real Ear Examination.

After the presentation and review of information in which Mr. Herb proposed that real ear be added to the audiology practical portion of the examination, David Weesner supports Mr. Herb's proposal. Chair directed that Mr. Herb's proposal be added to the next agenda for review by Regulatory Analyst, Charles Manning. Chair proposed to target the September 2016 examination to test out Mr. Herb's proposal of real ear which gives administrative staff plenty of time to notify the applicants that the real ear examination would not count.

V HANDOUT(S)

VI FYI

- a. The Committee reviewed Subchapter 5 abandonment of application. After review, a motion was made by Charles Herb, seconded by David Weesner to support the Bill. The motion carried by unanimous vote.

VII ADJOURNMENT

Charles Herb made a motion to proceed to Executive Session, seconded by David Weesner, to consider and review advertisement, consumer complaints and other information received pursuant to the Committee's investigative authority in order to determine whether violations of law, including Committee regulations, have occurred. The results of these deliberations will be made known when, and if, the Committee determines to initiate disciplinary or other enforcement actions. If the Committee chooses to issue a Uniform Penalty Letter, the action will be taken in Public Session immediately after the Executive Session.

A motion was made by Charles Herb, seconded by David Weesner to adjourn the meeting at 12:30p.m. The motion carried by unanimous vote.

Respectfully submitted
HEARING AID DISPENSERS EXAMINING COMMITTEE

Renee P. Clark, Executive Director